

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

# PCT

TRANSLATION

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis 1)

Date of mailing  
(day/month/year)

**See form PCT/ISA/210**

Applicant's or agent's file reference

**49153-PCT**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/DE2005/000153**

International filing date (day/month/year)

**01.02.2005**

Priority date (day/month/year)

**06.02.2004**

International Patent Classification (IPC) or both national classification and IPC

**F01L1/18, F01L1/24**

Applicant

**INA-SCHAEFFLER KG**

## 1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis 1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

## 2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

## 3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/DE2005/000153

Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
- a. type of material
- ☐ a sequence listing
- ☐ table(s) related to the sequence listing
- b. format of material
- ☐ in written format
- ☐ in computer readable form
- c. time of filing/furnishing
- ☐ contained in the international application as filed.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/DE2005/000153

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement							
1	Statement							
	Novelty (N)	<table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">Claims</td> <td style="border-bottom: 1px solid black;">1-15</td> <td style="width: 10%; text-align: right;">YES</td> </tr> <tr> <td>Claims</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right;">NO</td> </tr> </table>	Claims	1-15	YES	Claims		NO
Claims	1-15	YES						
Claims		NO						
	Inventive step (IS)	<table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">Claims</td> <td style="border-bottom: 1px solid black;">1-15</td> <td style="width: 10%; text-align: right;">YES</td> </tr> <tr> <td>Claims</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right;">NO</td> </tr> </table>	Claims	1-15	YES	Claims		NO
Claims	1-15	YES						
Claims		NO						
	Industrial applicability (IA)	<table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">Claims</td> <td style="border-bottom: 1px solid black;">1-15</td> <td style="width: 10%; text-align: right;">YES</td> </tr> <tr> <td>Claims</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right;">NO</td> </tr> </table>	Claims	1-15	YES	Claims		NO
Claims	1-15	YES						
Claims		NO						
2	Citations and explanations:							
	<p><b>V.1 Claim 1</b></p> <p>The invention defined in claim 1 meets the requirements for novelty, inventive step and industrial applicability of PCT Article 33(2) to (4).</p> <p>Since the features of independent claim 1 are not stated in their entirety in any of the documents cited in the search report or assessed in the introductory part of the description, the subject matter of claim 1 is novel.</p> <p>The documents cited in the search report do not provide a person skilled in the art with any motivation to design the connecting device according to claim 1 in a valve actuation device according to</p> <p style="padding-left: 40px;"><i>US-A-6 047 675 (KUNZ ET AL.) 11 April 2000 (2000-04-11); (D1).</i></p> <p>The measure of designing the opening (14) in the limb (11) that is associated with the supporting element (6) in the form of a slot results from a step which does not constitute a coherent development of the cited prior art. The connecting device according to claim 1 therefore involves an inventive step.</p>							

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/DE2005/000153

Box No. V

Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

The subject matter of claim 1 is functional and can be manufactured and is therefore also to be regarded as industrially applicable.

**V.2 Dependent claims**

Dependent claims 2 to 15 contain developments as per claim 1 and thus likewise meet the requirements for novelty, inventive step and industrial applicability of PCT Article 33(2) to (4).